

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF ARIZONA**

Arizona Student DOE #2,  
Plaintiff,  
v.  
Donald J Trump, et al.,  
Defendants.

No. CV-25-00175-TUC-AMM  
**ORDER**

Pending before the Court is Plaintiff's Emergency Ex Parte Motion for a Temporary Restraining Order (TRO). (Doc. 2).

Although "very few circumstances justify[] the issuance of an ex parte TRO," *Reno Air Racing Ass'n, Inc. v. McCord*, 452 F.3d 1126, 1131 (9th Cir. 2006), the Court has reviewed the pertinent briefs, record, and authority (*see* Docs. 1 through 6) and finds that Plaintiff has met all the requirements for a TRO. *See* Fed. R. Civ. P. 65(b) (Court may only issue a TRO without notice to the adverse party if (1) "specific facts in an affidavit or a verified complaint clearly show that immediate and irreparable injury, loss, or damage will result to the movant before the adverse party can be heard in opposition;" and (2) "the movant's attorney certifies in writing any efforts made to give notice and the reasons why it should not be required."); *Winter v. Nat. Res. Def. Council, Inc.*, 555 U.S. 7, 22 (2008) (Plaintiff seeking a TRO "must establish that he is likely to succeed on the merits, that he is likely to suffer irreparable harm in the absence of preliminary relief, that the balance of equities tips in his favor, and that an injunction is in the public interest."); *All. for the Wild*

1 *Rockies v. Cottrell*, 632 F.3d 1127, 1132 (9th Cir. 2011) (In the Ninth Circuit, “‘serious  
2 questions going to the merits’ and a hardship balance that tips sharply toward the plaintiff  
3 can support issuance of an injunction, assuming the other two elements of the *Winter* test  
4 are also met.”).<sup>1</sup>

5 In light of the exigent circumstances, the Court issues this necessarily brief Order.  
6 Plaintiff’s Emergency Ex Parte Motion for a Temporary Restraining Order is **granted** to  
7 preserve the status quo until the Court can receive further briefing and hold a hearing on  
8 **April 29, 2025 at 10:00 a.m.**<sup>2</sup> The Government shall file a response to Plaintiff’s  
9 Emergency Motion for a Temporary Restraining Order by no later than **April 21, 2025**,  
10 and Plaintiff shall file a reply by no later than **April 24, 2025**.

11 **IT IS FURTHER ORDERED** as follows:

12 (a) Defendants are temporarily enjoined for fourteen days from arresting and  
13 detaining Plaintiff pending these proceedings, transferring Plaintiff away from the  
14 jurisdiction of this District pending these proceedings, or removing Plaintiff from the  
15 United States pending these proceedings;

16 (b) Defendants’ actions in terminating Plaintiff’s SEVIS record shall have no legal  
17 effect and shall not obstruct Plaintiff in continuing to pursue their academic and  
18 employment pursuits that Plaintiff is authorized to pursue as an international student in F-  
19 1 status.

20 (c) Plaintiff is not required to give security, *see* Fed. R. Civ. P. 65(c), as this Order

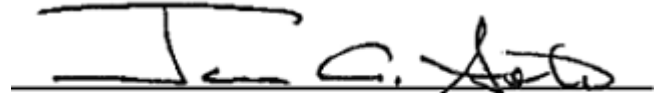
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22 <sup>1</sup> Based on the limited information currently before the Court, the record reflects: (a)  
23 Plaintiff is a graduate student in lawful F-1 status; (b) Plaintiff is in full compliance with  
24 all requirements to lawfully remain in the United States pursuant to their F-1 status; (c) the  
25 Government has unlawfully terminated Plaintiff’s Student and Exchange Visitor  
Information System (“SEVIS”) record and revoked Plaintiff’s F-1 visa in order to arrest,  
detain, or transfer Plaintiff far from Plaintiff’s home, school, employer, and community  
without any hearing. Accordingly, in light of this record, Plaintiff has satisfied the  
requirements for a TRO at this very early stage of the litigation.

26 <sup>2</sup> The Court notes that United States District Judge Martinez is temporary unavailable. As  
27 such, United States District Judge Soto has temporarily stepped into this case to handle the  
28 pending emergency motion. However, this case remains with Judge Martinez, and Judge  
Martinez will be presiding over this case going forward (including the hearing set for April  
29, 2025).

1 should not result in any financial damage to Defendants.

2 (d) Plaintiff shall serve Defendants with this Order forthwith.<sup>3</sup>

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4 Dated this 15th day of April, 2025.

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8 Honorable James A. Soto  
9 United States District Judge  
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<sup>3</sup> This Order was filed at approximately 3:12 p.m. on April 15, 2025.